

London Borough of Camden  
Planning & Built Environment  
c/o Town Hall  
Judd Street  
London  
WC1H 8ND

26 Redington Road  
London  
NW3 7RB

18 October 2016

For the attention of Mr David Peres Da Costa

Dear Sirs

**Town & Country Planning Act 1990 (as amended)**  
**Re: Planning application (reference 2016/2997/P) at 28 Redington Road**  
**Comments on Revised Daylight, Sunlight Report by Syntegra**

To remind you, AA Projects previously submitted an expert review of Syntegra's original report. It was identified not only that this report had missed an existing and relevant window in my property, but also that Syntegra had grouped the results of sets of windows (providing overall measurements) to obfuscate the significant impact the planned development would have on relevant windows at my property. Moreover, the original Syntegra report had essentially "cherry picked" the criteria for which it provided data, choosing not to provide data on relevant BRE-specified criteria. The criteria ignored by Syntegra in fact demonstrated that the development failed the norms specified by the BRE. Being generous, one could imagine that the omissions in the original report were omissions by mistake, and not intentional.

Syntegra has now submitted their revised report. Although it does now include the missing window, it is very disturbing and disappointing to see that having been "called out" on their omissions, in their revision they have ignored this and committed exactly the same transgressions as in the initial report. (This is made clear in the AA Projects review of the Revised Syntegra Report, which is attached). In other words, they have again a). grouped relevant windows and irrelevant windows to make it seem like only a small percent of windows are impacted negatively (when in fact 66.6% of the relevant windows fail based on the criteria they provide), b). failed to mention the other BRE criteria which should be applied as the outcomes on the ignored criteria are far worse and below acceptable standards.

**There is now no other option but to conclude that Syntegra's revised report is deliberately misleading, and to conclude that both they and their client have acted in bad faith (and failed to change this behaviour when it was identified).**

**As stated by AA Projects:** "On the whole, without a full BRE Daylight Sunlight assessment, it is not possible for the Planners to understand the full impact of the proposed development on adjacent properties." At a minimum the BRE assessment should be revised again to include these additional measurements and to ignore irrelevant windows in the calculations.

I call again upon Camden Council to refuse permission for this project. Not only is it not fit for purpose from many perspectives (as made clear in the many objections submitted to Camden), there is a clear pattern of devious and misleading behaviour by the applicant that calls into question their intentions and reliability in respect of any undertakings.

Yours faithfully

  
Harlan Zimmerman

Specifically, AA Projects comments:

1. "In Section 7, the Syntegra report notes that there is a moderate adverse impact on the VSC percentages to four of the eight windows to the Northwest elevation of 26 Redington Road. This actually represents four out of six windows when the two front elevation windows are ignored. The four windows in question have a VSC below 27% (approx. 18%-22%) and reductions of between 33% and 37% (20% being the allowed BRE reduction). These four windows therefore substantially fell the BRE criteria and there will be a very noticeable reduction in daylight to this elevation. The Syntegra report attempts to ignore this impact by saying that only 4 out of 15 windows assessed will not meet the BRE criteria. The other 7 windows are in the Southeast elevation of number 30 and are not relevant to assessing the impact on number 26"
2. The Syntegra report only assesses and reports on VSC (daylight) and APSH (sunlight). The other daylight criteria covered by the BRE guide are Average Daylight Factor (which considers daylight to rooms) and Daylight Distribution (which also considers rooms). Our report has assessed these BRE measures and finds that the proposed development does not meet the BRE requirements for these measures of light either and that there are adverse effects on the adjacent properties. It is essential that these measures of light are considered and included in a Daylight Sunlight report to fully understand the effect of the proposed development on surrounding properties. The BRE guide makes full reference to them and describes how they should be used to fully assess the impact of a development

DR/eo/BS/9676/3.5

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Dear Harlan

**26 & 28 Redington Road, London  
Daylight/Sunlight Report**

Further to our recent discussions and correspondence, I have as requested read over the Syntegra Consulting revised Daylight, Sunlight and Overshadowing Report for the proposed development of 28 Redington Road, London NW3 7RB dated August 2016 (Ref 15-1601) and set out below my comments insofar as it relates to 26 and 30 Redington Road. Our comments are generally in line with our July 2016 report with updates as follows:

- This updated Syntegra report and analysis now includes the window to the left hand side (Northwest) elevation of 26 Redington Road, which was missed from their previous report
- In Section 7, the Syntegra report notes that there is a moderate adverse impact on the VSC percentages to four of the eight windows to the Northwest elevation of 26 Redington Road. This actually represents four out of six windows when the two front elevation windows are ignored. The four windows in question have a VSC below 27% (approx. 18%-22%) and reductions of between 33% and 37% (20% being the allowed BRE reduction). These four windows therefore substantially fail the BRE criteria and there will be a very noticeable reduction in daylight to this elevation. The Syntegra report attempts to ignore this impact by saying that only 4 out of 15 windows assessed will not meet the BRE criteria. The other 7 windows are in the Southeast elevation of number 30 and are not relevant to assessing the impact on number 26
- Our VSC calculations for the windows in the Southeast elevation of number 30 show that 4 windows fail the BRE criteria, whilst the Syntegra report notes that all windows pass the BRE criteria
- The Syntegra report only assesses and reports on VSC (daylight) and APSH (sunlight). The other daylight criteria covered by the BRE guide are Average Daylight Factor (which considers daylight to rooms) and Daylight Distribution (which also considers rooms). Our report has assessed these BRE measures and finds that the proposed development does not meet the BRE requirements for these measures of light either and that there are adverse effects on the adjacent properties. It is essential that these measures of light are considered and included in a Daylight Sunlight report to fully understand the effect of the proposed development on surrounding properties. The BRE guide makes full reference to them and describes how they should be used to fully assess the impact of a development

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**aaprojects**

On the whole, without a full BRE Daylight Sunlight assessment, it is not possible for the Planners to understand the full impact of the proposed development on adjacent properties.

I trust that the above is as required and if you would like any further information, please do not hesitate to contact me.

Yours sincerely  
**For AA Projects Ltd**



David Radcliffe BSc (Hons) MRICS  
**Director**

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Dear Sirs

Town & Country Planning Act 1990 (as amended)  
Planning application (reference 2016/2997/P) at 28 Redington Road

Dear Sirs,

I write to comment on Mott MacDonald's 1.25-page "response" to Campbell Reith's 26-page BIA audit. I have two main concerns.

Deliberately Misleading

Mott MacDonald has repeated a statement that is deliberately misleading: "Query 2 refers to section 4.5 and queries the 'unknown' levels and slope angle of the adjacent ground on adjacent properties. As stated in the BIA, the surveyors were unfortunately not granted access by the owners of the adjacent properties to carry out the survey; therefore the exact levels are to be confirmed at a later stage."

Both I (as the owner of one adjacent property, 26 Redington Road) and Ashmount (the freeholder of the other adjacent property, 30 Redington Road) have already stated clearly in our objections that NO ONE ever asked us for access to our properties to carry out any survey. This was also stated clearly in our expert reports.

Mott MacDonald knows this and despite our protesting about their lie (or attempt to mislead) in our objections (which they will have read) they have repeated this same fallacious statement in their "reply."

They should not be allowed to use lack of access as an excuse for not doing proper work.

"Just Trust Us"

As you know (and as Camden has gone to great length to explain in its useful guidance on basements), the requirements at this stage are not about detailed design, this is about showing an awareness of the problems on site that will have to be overcome, giving an

indication of how those problems can be solved, and having that assessment and those proposals approved as relevant and feasible. Final quantities, dimensions, positions and sequence of events will be part of the detailed design.

It is farcical and offensive for Mott MacDonald to simply state: "The design team involved in this project are experienced and qualified to carry out the technical design of the proposed development, ensuring that risks are appropriately identified, monitored and mitigated as part of the design process." In other words: "Just trust us."

If it were sufficient to simply rely on the general experience and expertise of big firms and trust them to do an "appropriate job," then we could simply tear up Camden's requirements, eliminate the BIA process, and dispense with all expert audits. That would certainly make things easier for the sorts of big developers who can afford to hire behemoths like Mott MacDonald.

Mott MacDonald was the subject of the largest legal claim in UK construction history (a £250m negligence claim relating to their structural engineering work on the Wembley Stadium reconstruction. The claimant alleged that Mott MacDonald's structural engineering for Wembley 'was not fit for purpose' and that initial designs were 'not correct, constructible, co-ordinated and/or consistent'.

Obviously Mott MacDonald is a fine firm and according to some reports this claim was settled after several years in court with Mott MacDonald only paying the claimants substantial legal costs. I raise it not to denigrate them. Rather, it illustrates that things can and do go wrong even when fine firms employ people who are "experienced and qualified." (One assumes the design team deployed by Mott MacDonald on Wembley were exceedingly "experienced and qualified", but things still went badly wrong).

It is for this reason that Camden has guidelines, requirements, professionals in the planning department, BIA processes and external expert auditors. (Thankfully for the individual householders who are overwhelmed by hundreds of pages of impressive-looking documents prepared by developers' experts for hire).

Thank you very much for continuing efforts to try to make the playing field as level as possible.

Yours sincerely,

Harlan Zimmerman